

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

| | | |
|--------------------------------|---|----------------------|
| FRANCISCO RESENDIZ, |) | |
| |) | |
| Claimant, |) | IC 98-009453 |
| |) | |
| v. |) | |
| |) | ORDER |
| CHALLENGER PALLET AND SUPPLY, |) | |
| |) | |
| Employer, |) | Filed April 19, 2005 |
| |) | |
| and |) | |
| |) | |
| INSURANCE COMPANY OF THE WEST, |) | |
| |) | |
| Surety, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Pursuant to Idaho Code § 72-717, Referee Michael E. Powers submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusion of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has failed to prove a causal connection between his need for further medical care and his industrial accident on December 23, 1997.
2. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this __19th__ day of __April__, 2005.

INDUSTRIAL COMMISSION

_____/s/_____
Thomas E. Limbaugh, Chairman

____/s/_____
James F. Kile, Commissioner

____/s/_____
R. D. Maynard, Commissioner

ATTEST:

____/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the __19th__ day of __April__, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

DELWIN W ROBERTS
1495 E 17TH ST
IDAHO FALLS ID 83404-6236

PAUL S PENLAND
PO BOX 199
BOISE ID 83701-0199

____/s/_____

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